

CITY OF LINCOLN/LANCASTER COUNTY
CONTRACT AWARD NOTIFICATION
SPECIFICATION NO. 05-127
ANNUAL REQUIREMENTS FOR MOTOR FUELS

DATE: October 5, 2006

CONTRACT PERIOD: November 1, 2006 thru April 30, 2007

CONTRACTOR: Sapp Brothers Petroleum
9915 So. 148th St.
Omaha, NE 68138

PURCHASING DIVISION
K-STREET COMPLEX
440 SOUTH 8TH STREET
LINCOLN, NEBRASKA 68508
(402) 441-7410

Company Representative: Charles Swerczek
Telephone No.: 402.466.5522
FAX No.: 402.466.5529
E-Mail Address: chuckswerczekesappbrospetro.com

THE CITY/COUNTY'S SPECIFICATIONS AND THE CONTRACTOR'S ACCEPTED PROPOSAL AND PRICING SCHEDULES, NOW ON FILE IN THE OFFICE OF THE CITY CLERK AND/OR THE COUNTY CLERK, ARE ADOPTED BY REFERENCE AND ARE AS FULLY A PART OF THIS CONTRACT FOR THE ABOVE-NAMED COMMODITY AS IF REPEATED VERBATIM HEREIN.

Per Specification & Contract

NO ACTION NEED BE TAKEN BY THE CONTRACTOR AT THIS TIME. ORDERS FOR MATERIAL WILL BE MADE AS NEEDED BY THE VARIOUS CITY/COUNTY DEPARTMENTS.

DEPARTMENTS REQUIRING CATALOGS AND/OR PRICING SCHEDULES SHALL NOTIFY THE CONTRACTOR DIRECTLY.

CITY OF LINCOLN
NEBRASKA

Purchasing Division / Finance Department
Vince M. Mejer, Purchasing Agent
440 South 8th Street
Suite 200, Southwest Wing
Lincoln, Nebraska 68508

402-441-7410
fax: 402-441-6513

September 11, 2006

MAYOR COLEEN J. SENG

lincoln.ne.gov

LINCOLN
The Community of Opportunity

Mr. Charles Swerczek
Sapp Brothers Petroleum
9915 So. 148th Street
Omaha, NE 68138

RE: ANNUAL REQUIREMENTS FOR MOTOR FUELS, SPECIFICATION NO. 05-127

Dear Mr. Swerczek:

In accordance with the terms and conditions of the above referenced contract, the City of Lincoln/Lancaster County desires to **renew the contract** for one (1) additional **six month** term beginning **November 1, 2006 thru April 30, 2007**. During this term, the City will be developing a new specification addressing a small capped fuel contract. Once developed, the new specification will open up for bid and you will be given an opportunity to submit a proposal.

It is understood that all terms of payment and other conditions of the original contract will remain unchanged during the renewal term.

As evidence of your company's desire to renew the above referenced contract under its original terms and conditions, please countersign below. **Please return the original letter back to our office (faxed copy is not acceptable) by September 19, 2006**, for processing of the contract renewal by the City of Lincoln/Lancaster County. After the renew has been signed and an Executive Order issued you shall receive an Award Notification and your copy of the contract by mail.

*If your company should choose **not** to renew this contract in it's original form, please **state** on your letterhead the **reasons** and return to the City of Lincoln/Purchasing Dept, 440 So. 8th, Suite 200, Lincoln, NE 68508, Attn: Tom Kopplin.*

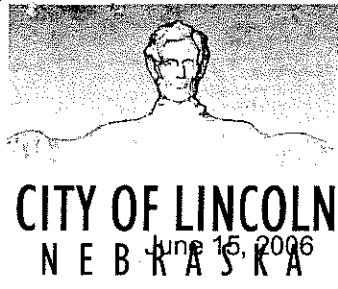
Vince Mejer
Purchasing Agent

Official City Use Only

Sapp Bros Petroleum Inc.
Company Name
5901 Cornhusker Hwy
Company Address
Lincoln, NE 68507
Phone No.
(402) 466-5522
FAX No.
(402) 466-5529
E-Mail Address
ChuckSwerczek@sappbrospetroleum.com
By(print)
Chuck Swerczek
Title
General Manager
Date
9/18/06
Signature

Dated this 29th day
of Sept. 2006

Coleen J Seng
Coleen J Seng, Mayor



Purchasing Division / Finance Department
Vince M. Mejer, Purchasing Agent
440 South 8th Street
Suite 200, Southwest Wing
Lincoln, Nebraska 68508

402-441-7410
fax: 402-441-6513



MAYOR COLEEN J. SENG

lincoln.ne.gov

June 15, 2006

Mr. Charles Swerczek
Sapp Brothers Petroleum
9915 So. 148th Street
Omaha, NE 68138

RE: ANNUAL REQUIREMENTS FOR MOTOR FUELS, SPECIFICATION NO. 05-129

Dear Mr. Swerczek:

In accordance with the terms and conditions of the above referenced contract, the City of Lincoln/Lancaster County desires to **renew the contract** for one (1) additional **three month** term beginning **July 1, 2006 thru October 1, 2006**. During this term, the City will be developing a new specification addressing a small capped fuel contract. Once developed, the new specification will open up for bid and you will be given and opportunity to submit a proposal.

It is understood that all terms of payment and other conditions of the original contract will remain unchanged during the renewal term.

As evidence of your company's desire to renew the above referenced contract under its original terms and conditions, please countersign below. **Please return the original letter back to our office (faxed copy is not acceptable) by June 23, 2006**, for processing of the contract renewal by the City of Lincoln/Lancaster County. After the renew has been signed and an Executive Order issued you shall receive an Award Notification and your copy of the contract by mail.

*If your company should choose **not** to renew this contract in it's original form, please **state on your letterhead the reasons** and return to the City of Lincoln/Purchasing Dept, 440 So. 8th, Suite 200, Lincoln, NE 68508, Attn: Tom Kopplin*

Vince Mejer
Purchasing Agent

Official City Use Only

Dated this 10 day
of July 2006

Coleen J Seng, Mayor

SAPP BROS Petroleum, Inc.
Company Name
5901 CORNHUSKER HWY
Company Address
LINCOLN, NE. 68507
Phone No.
(402) 466-5522
FAX No.
(402) 466-5529
E-Mail Address
chuckswerczek@sappbrospetro.com
By (print)
General Manager
Title
6/21/2006
Date

Signature

**ACCEPTANCE OF BID TO CONTRACT
FOR
CITY OF LINCOLN, NEBRASKA**

TO: City Attorney
City Department
Contractor

The **City of Lincoln, Nebraska**, hereinafter referred to as **City of Lincoln**, hereby accepts the proposal dated 5/16/05 and submitted by Sapp Brothers Petroleum Inc., hereinafter referred to as **Contractor**, in response to **City of Lincoln** Request for Specification No # 05-127 as evidenced by **Contractor's** signed and "Bid/Proposal Schedule" and accompanying documents attached hereto.

Therefore, the **City of Lincoln** and the **Contractor** hereby agree that the proposal response for Specification # 05-127 constitutes a contractual agreement and the purpose of providing Ann Req. For Motor Fuels to the **City of Lincoln** for the period July 1, 2005 through June 31, 2006 which shall be governed by all terms conditions, and provisions of the specification/proposal and REQUEST FOR BID # 05-127 which are fully incorporated and made part of this agreement. OPTION TO RENEW: This contract may be extended for two (2) additional one (1) year periods, provided all terms and conditions remain in full force and effect except the contract period being extended.

ACCEPTED BY MAYOR

Colleen J. Seng
Signature Colleen J. Seng

Teresa J. Meier
Attest (City Clerk)

Date: 6/21/05

Approved as to form - City Attorney

ACCEPTED BY CONTRACTOR

Bernard R. Raiter
Signature

BERNARD R. RAITER
Name (Print)

PRES.
Title

Date: 6-9-05



COMPANY NAME Sapp Bros Petroleum Inc

PROPOSAL

SPECIFICATION NO. 05-127

BID OPENING TIME: 12:00 NOON

DATE: May 18, 2005

ADDENDA RECEIPT: The receipt of addenda to the specifications numbers ___ through ___ are hereby acknowledged. Failure of any bidder to receive any addendum or interpretation of the specifications shall not relieve the bidder from obligations specified in the bid request. all addenda shall become part of the final contract document.

**THE ANNUAL REQUIREMENTS
FOR MOTOR FUELS
BIDDING SCHEDULE**

NOTE: GROSS DELIVERED PRICE PER GALLON SHALL BE BASED ON TERMINAL PRICE IN EFFECT 12:01 A.M., FRIDAY, JUNE 1, 2005, F.O.B. THE LINCOLN TERMINAL.

NO BID SECURITY IS REQUIRED

ITEM	DESCRIPTION	ESTIMATED ANN. QTY.	U/M	UNIT PRICE	TOTAL PRICE
1. 40515852909	GASOLINE, AUTOMOTIVE, UNLEADED REGULAR, TRUCK TRANSPORT DELIVERY	571,179	GAL	\$ <u>1.7067</u>	\$ <u>974,831²⁰</u>
2. 40514101002	(OPTION) GASOHOL, 10% ETHANOL BLEND, TRUCK TRANSPORT DELIVERY	COST PER GALLON	GAL	\$ <u>1.6877</u>	\$ <u>—</u>
3. 40509351402	DIESEL FUEL, NO. 1 LOW SULFUR, TRUCK TRANSPORT DELIVERY	200,000	GAL	\$ <u>1.7733</u>	\$ <u>354,660⁰⁰</u>
5. 40509352506	DIESEL FUEL, NO. 2 LOW SULFUR, TRUCK TRANSPORT DELIVERY	728,394	GAL	\$ <u>1.7413</u>	\$ <u>1,268,352⁴⁷</u>
6. 40515851406	TANK WAGON DELIVERY CHARGE	45,221	GAL	\$ <u>.08</u>	\$ <u>3,617⁶⁸</u>
7.	ANTI-GEL AND CETANE IMPROVER PRODUCT NAME <u>Power Service</u> <u>Arctic Express</u>	COST PER GALLON	GAL	\$ <u>.01754</u>	over #2 Price
8.1	RESPONSE TIME FOR EMERGENCY FUEL DELIVERY SERVICE, 24 HRS/DAY: <u>240</u> MINUTES.				
8.2	MAJOR SUPPLIER OF MOTOR FUELS TO BE USED FOR TERM OF AGREEMENT: <u>Sapp Bros Petroleum Inc</u>				
9.	EMERGENCY TREATMENT FOR DIRECT EQUIPMENT TANK APPLICATIONS FUEL BLEND/PRODUCT RATIO <u>911 Additive</u>	COST PER GALLON	GAL	\$ <u>7.50</u>	
10.	2% SOY OIL PRODUCT NAME <u>Soy Diesel</u>	COST PER GALLON	GAL	\$ <u>.02</u>	over #2 Price
11.	PREMIUM DEISEL WITH 2% SOY OIL	COST PER GALLON	GAL	\$ <u>.0375</u>	over #2 Price
12.	<u>Split Charges of \$25.00 per Drop - After 1st Drop</u>				

Special provisions for Commodity Term Contracts are included with the specification document. Bidders are urged to read the Special Provisions before completing the following sections of the Proposal.

Term of Agreement is one (1) year, July 1, 2005 through June 31, 2006.

Contract Extension Renewal is an option:

Yes ☒ No ☐

TERM PRICE CLAUSE: BIDDER MUST STATE

- (a) Bid prices firm for the full contract period: ; or
(b) Bid prices subject to escalation/de-escalation: ☒.
(c) If (b), state period for which prices will remain firm:
Through .

INTER-LOCAL PURCHASING: The City/County desires to make available to other local government entities of the State of Nebraska, by mutual agreement with the successful bidder, and properly authorized inter-local purchasing agreements, the right to purchase the same services, at the prices quoted, for the period of this contract. Each bidder shall indicated on the Bid Form in the space provided below if he/she will honor Political Subdivision orders in accordance with the contract terms and conditions, in addition to orders from City of Lincoln/Lancaster County.

☒ YES ☐ NO

If "YES", Contract supplier or suppliers may honor pricing and extend the contract to political sub-divisions, cities and counties. Terms and conditions of the contract must be met by political sub-divisions, cities and counties. Under no circumstances shall the City of Lincoln/Lancaster County be contractually obligated or liable for any purchases by these political sub-divisions, cities or counties.

COMPANY REPRESENTATIVE responsible for the administration of this Agreement:

NAME: Bernie Raiter

TITLE: President

PHONE NO. 800-233-4059 Ext 307

AFFIRMATIVE ACTION PROGRAM: Successful bidder will be required to comply with the provisions of the City's Affirmative Action Policy (Contract Compliance, Sec. 1.16). The Equal Opportunity Officer will determine compliance or non-compliance, upon a complete and substantial review of successful bidder's equal opportunity policies, procedures and practices.

The undersigned bidder, having full knowledge of the requirements of the City of Lincoln for the below listed items and the contract documents (which include Notice to Bidders, Instructions to Bidders, this Proposal, Specifications, Contract, and any and all addenda) and all other conditions of the Proposal, agrees to sell to the City the listed items for the performance of this Specification, complete in every respect, in strict accordance with the contract documents at and for unit prices listed.

The undersigned into a contract signatory for the bidder represents and warrants that he has full and complete authority to submit this proposal to the City, and to enter if this proposal is accepted.

RETURN 2 COMPLETE COPIES OF PROPOSAL AND SUPPORTING MATERIAL.

MARK OUTSIDE OF BID ENVELOPE AS FOLLOWS: SEALED BID FOR SPEC. 05-127

Sapp Bros Petroleum, Inc.
COMPANY NAME

9915 So 148th Street
STREET ADDRESS or P.O. BOX

Omaha NE 68138
CITY, STATE ZIP CODE

800-233-4059
TELEPHONE

47-0619972
EMPLOYER'S FEDERAL I.D. NO.
OR SOCIAL SECURITY NUMBER

Charles E. Swerczek
BY (Signature)

Charles E. Swerczek
(Print Name)

General Manager
(Title)

5/16/05
(Date)

Bids may be inspected in the Purchasing Division offices during normal business hours, after tabulation by the purchasing agent. If you desire a copy of the bid tabulation to be mailed to you, you must enclose a self-addressed stamped envelope with your bidding documents. Bid tabulations can also be viewed on our website at: lincoln.ne.gov Keyword: bid